

UNITED STATES DISTRICT COURT

WESTERN

District of

PENNSYLVANIA

UNITED STATES OF AMERICA

V.

ORDER OF TEMPORARY DETENTION
PENDING HEARING PURSUANT TO
BAIL REFORM ACT

JUSTIN SMITH

Defendant

Case

CRIMINAL NO. 1:08-423

Upon motion of the _____ United States of America _____, it is ORDERED that a
detention hearing is set _____ February 9, 2009 _____ * at _____ 1:00 PM _____
Date *Time*

before _____ the Honorable Magistrate Judge Lisa Pupo Lenihan _____
Name of Judicial Officer

Courtroom 7B, Seventh Floor, Seventh and Grant Street, Pittsburgh, PA 15219

Location of Judicial Officer

Pending this hearing, the defendant shall be held in custody by (the United States marshal) _____

_____) and produced for the hearing.
Other Custodial Official

Date: _____ 2/5/09 _____


Judicial Officer

*If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. § 3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. § 3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.